

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)  
Approved for use through 9/30/00. OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>	<b>Attorney Dock # Number</b>	40022409DNK9756		
	<b>First Named Inventor</b>	William F. McKay		
	<b>COMPLETE IF KNOWN</b>			
	<b>Application Number</b>	09/581,335		
	<b>Filing Date</b>	June 9, 2000		
	<b>Group Art Unit</b>			
<b>Declaration Submitted with Initial Filing</b>	<b>OR</b>	<input checked="" type="checkbox"/> <b>Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)</b>	<b>Examiner Name</b>	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OSTEOGENIC FUSION DEVICE

the specification of which (Title of the Invention)

☐ is attached hereto  
OR

☒ was filed on (MM/DD/YYYY) 12/10/1998 as United States Application Number or PCT International

Application Number PCT/US98/26254 and was amended on (MM/DD/YYYY) 01/04/2000 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)  
Approved for use through 9/30/00. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
08/988,142 PCT/US98/26254	12/10/97 12/10/98	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Kenneth A. Gandy	#33,386		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number  or Bar Code Label

OR ☒ Correspondence address below

Name	Kenneth A. Gandy				
Address	WOODARD, EMHARDT, NAUGHTON, MORIARTY & MCNETT				
Address	Bank One Center/Tower, 111 Monument Circle, Suite 3700				
City	Indianapolis	State	IN	ZIP	46204
Country	US	Telephone	317-634-3456	Fax	317-637-7561

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])		Family Name or Surname	
William F.		McKay	
Inventor's Signature	<i>William F. McKay</i>		Date <i>September 15, 2000</i>
Residence: City	Memphis	State	TN
		Country	US
Post Office Address	3870 McElrie Cove		
Post Office Address	Memphis, Tennessee 38133 US		
City	Memphis	State	TN
		ZIP	38133
		Country	US

☐ Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Please type a plus sign (+) inside this box → ☐

PTO/SB/02C (3-97)

Approved for use through 9/30/98. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION

## REGISTERED PRACTITIONER INFORMATION (Supplemental Sheet)

Name	Registration Number	Name	Registration Number
Harold R. Woodard	#16,214		
C. David Emhardt	#18,483		
Joseph A. Naughton, Jr.	#19,814		
John V. Moriarty	#26,207		
John C. McNett	#25,533		
Thomas Q. Henry	#28,309		
James M. Durlacher	#28,840		
Charles R. Reeves	#28,750		
Vincent O. Wagner	#29,596		
Steve Zlatos	#30,123		
Spiro Bereveskos	#30,821		
William F. Bahret	#31,087		
Clifford W. Browning	#32,201		
R. Randall Frisk	#32,221		
Daniel J. Lueders	#32,581		
Kenneth A. Gandy	#33,386		
Timothy N. Thomas	#35,714		
Kerry P. Sisselman	#37,237		
Kurt N. Jones	#37,996		
John H. Allie	#39,088		
Holiday W. Banta	#40,311		
Troy J. Cole	#35,102		
L. Scott Paynter	#39,797		
J. Andrew Lowes	#40,706		
Charles J. Meyer	#41,996		
Darrin Wesley Harris	#40,636		
Matthew R. Schantz	#40,800		
Gregory B. Coy	#40,967		
Lisa A. Hiday	#40,036		
John V. Daniluck	#40,581		
Christopher A. Brown	#41,642		
C. John Brannon	#44,557		
Jason J. Schwartz	#43,910		
Arthur J. Usher, IV	#41,359		
Douglas A. Collier	#43,556		
Brad A. Schepers	#45,431		
Craig R. Tucker	#45,165		
James B. Myers	#42,021		
Scott J. Stevens	#29,446		

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 11, 1998

PTAS

WOODARD, EMHARDT, NAUGHTON ET AL  
MICHAEL D. BECK  
BANK ONE CENTER/TOWER  
111 MONUMENT CIRCLE, SUITE 3700  
INDIANAPOLIS, INDIANA 46204



\*100622098A\*

22241 U.S. PTO  
10/634711  
08/05/03

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/10/1997

REEL/FRAME: 8917/0973  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MCKAY, WILLIAM F.

DOC DATE: 12/08/1997

ASSIGNEE:

SDGI HOLDINGS, INC.  
1800 PYRAMID PLACE  
MEMPHIS, TENNESSEE 38132

SERIAL NUMBER: 08988142

PATENT NUMBER:

4002-11009

FILING DATE:

ISSUE DATE:

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECEIVED

MAR 19 1998

RE

02-03-1998

St

U.S. DEPARTMENT OF  
Patent and Trademark



100622098

Tab settings 000 ▼

To the Honorable Commissioner of Pat

... attached original documents or copy thereof

1. Name of conveying party(ies):

William F. McKay

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: December 8, 1997

2. Name and address of receiving party(ies)

Name: SDGI Holdings, Inc.

Internal Address:

Street Address: 1800 Pyramid Place

City: Memphis State: TN ZIP: 38132

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: December 10, 1997

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

i. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael D. Beck

Internal Address: Woodard, Emhardt, Naughton  
Moriarty & McNett

Street Address: Bank One Center/Tower

111 Monument Circle, Suite 3700

City: Indianapolis State: Indiana ZIP: 46204

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

23-3030

DO NOT USE THIS SPACE

Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael D. Beck

Name of Person Signing

*Michael D. Beck*

Signature

December 10, 1997

Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments

01/30/98 T10111  
01/30/98 151  
40.00 DP

U.S. PTO  
980142

## ASSIGNMENT

WHEREAS, William F. McKay of 3870 McElrie Cove, Memphis, Tennessee, 38133, hereinafter referred to as Assignor, has made a new and useful invention in in **OSTEOGENIC FUSION DEVICE** for which Assignor has made or will make application for Letters Patent of the United States; and

WHEREAS, SDGI Holdings., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business at 1800 Pyramid Place, Memphis, TN 38132 desires to acquire all of the entire right, title , and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, to all whom it may concern, be it known that for an in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignor in hand paid, the receipt of which is hereby acknowledged, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto Assignee, all of the entire right, title, and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignor this 8th day of December, 1997, and any and all other applications thereon and arising therefrom, including any and all divisions and continuations thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignor hereby authorizes and requeststhe firm of Woodard, Emhardt,  
Naughton, Moriarty & McNett of Bank One Center Tower, 111 Monument Circle, Suite  
3700, Indianapolis, Indiana 46204-5137 to insert here in parentheses (     ) the date and  
serial number of said application when officially known and, and Assignor hereby  
authorizes and requests the Honorable Assistant Secretary and Commissioner of Patents  
and Trademarks to issue said Letters Patent to Assignee, its assigns and legal  
representatives.

Assignor agrees to assign and execute any and all other papers necessary or  
desirable for the procurement of Letters Patent on said invention in this and all foreign  
countries for the use of Assignee.

WITNESS Assignor's hands this 8<sup>th</sup> day of December, 1997.

William F. McKay  
William F. McKay